

**TOWN OF PRESCOTT VALLEY  
REQUEST FOR COUNCIL ACTION  
Date: January 9, 2014**

**SUBJECT:** Amendments to Town Code Article 10-04 Re Weapons

**SUBMITTING DEPARTMENT:** Police

**PREPARED BY:** Commander James Edelstein for Bryan Jerrell, Police Chief

**AGENDA LOCATION:** Comments/Communications , Consent , Work/Study ,  
New Business , Public Hearing , Second Reading

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**ATTACHMENTS:** a) Ordinance No. 786 and b) Document titled “WEAPONS (DISCHARGE)”

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**SUMMARY/BACKGROUND:** On April 16, 2010, the Governor of Arizona signed into law S.B. 1108 “Weapons” which substantially amended the Arizona Revised Statutes related to transportation, possession, carrying, sale, transfer, purchase, acquisition, gift, devise, storage, licensing, registration, discharge or use of firearms. Conforming amendments to Town Code Article 10-04 “Weapons” were adopted by the Town Council on May 12, 2011 (Ordinance No. 759).

After further review, staff is proposing some further clarifying amendments to Article 10-04 with regard to regulation of weapons other than firearms and unneeded duplications of state regulations. With regard to regulation of other weapons, the Town Code conforms its definition to the state definition and simply applies a reasonableness standard.

[Note: when ordinances are of any length, it is a cost-saving measure for the Town Clerk’s office to adopt the substantive changes by “reference” in accordance with A.R.S. §9-802. This reduces publication costs. It involves a first step of declaring by Resolution that the changes are a separate public document, then adopting those changes by reference in the published ordinance.]

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**OPTION ANALYSIS:** The Council may approve this Ordinance adopting by reference the document “WEAPONS (DISCHARGE)” to amend Town Code Article 10-04, OR decline to adopt this Ordinance.

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**ACTION OPTION:** a) Motion to read Ordinance No. 786 by title only on two separate occasions, then place the same on final passage, **OR** Motion not to read Ordinance No. 786. **VOTE.**

[if the vote is in favor of reading Ordinance No. 786, then the Mayor directs the Town Clerk to read the Ordinance by title only for the first reading.]

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**RECOMMENDATION:** Staff recommends approving Ordinance No. 786 adopting the document “WEAPONS (DISCHARGE)” declared by Resolution No. 1863 as a public document.

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**FISCAL ANALYSIS:** Approval of the proposed Ordinance is not expected to have any additional fiscal impact on the Town.

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**REVIEWED BY:**

Management Services Director \_\_\_\_\_

Town Clerk \_\_\_\_\_

Town Attorney \_\_\_\_\_

Town Manager \_\_\_\_\_

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**COUNCIL ACTION:**

Approved    Denied    Tabled/Deferred    Assigned to \_\_\_\_\_